

### REMARKS

Claims 1 to 20 are pending, of which claim 1 is independent.<sup>1</sup> Favorable reconsideration and further examination are respectfully requested.

Headings have been added to the application, as required in the Office Action.

A terminal disclaimer over U.S. Application No. 10/591,031 is being filed herewith, although that filing does not constitute an agreement with the reasons stated in the Office Action for the double patenting rejection.

Claims 1, 2, 4 and 6 to 8 were rejected over GB Patent No. 2,319,345 (Lester); claim 3 was rejected over Lester in view of U.S. Patent No. 5,657,237 (Mazzoni); and claims 5 and 9 were rejected over Lester in view of U.S. Patent No. 5,017,860 (Germer). Although amendments have been made to the claims, these amendments were made primarily to clarify the claim language. Accordingly, this should be viewed as a traversal of the rejections.

In this regard, the Office Action refers to Fig. 2 of Lester, which is reproduced below. In particular, page 5 of the Office Action equates memory 20 of Fig. 2 to the claim's phase evaluation block, as follows:

a phase evaluation block (20 ) with two inputs, which are coupled (via 16 and 14 or 12) to the first and second inputs of the energy metering system for measuring a phase difference, and having an output, which is coupled to a phase correction unit (22, 24, 26, 28); and

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<sup>1</sup> The Examiner is urged to independently confirm this recitation of the pending claims.

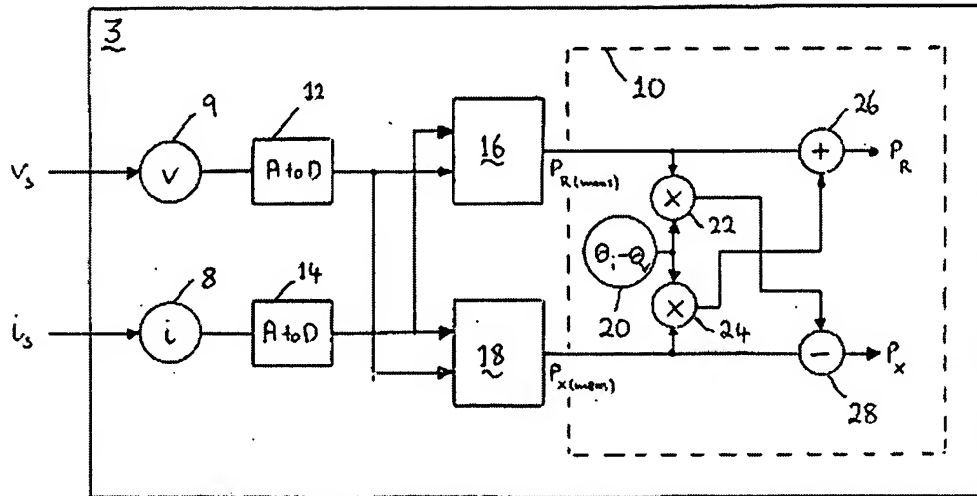


Figure 2.

We respectfully disagree with the characterization of memory 20 as the phase evaluation block.

For example, the claimed phase evaluation block includes the following features:

a phase evaluation block comprising two inputs that are electrically connected to the first input and to the second input, the phase evaluation block to measure a phase difference that corresponds to a phase difference between the first input signal and the second input signal, and the phase evaluation block comprising an output that is electrically connected to a phase correction block.

By contrast, memory 20 does not include inputs that are electrically connected to a first input and a second input of an energy meter. In fact, memory 20 does not appear to include inputs at all. Since memory 20 does not include the requisite inputs, memory 20 is not understood to measure a phase difference that corresponds to a phase difference of the first input signal and the second input signal. Rather, memory 20 stores phase angle errors  $\theta_i$  and  $\theta_v$ . As explained at the top of page 11 of Lester, "[t]he value or values of  $(\theta_i - \theta_v)$  are measured prior to installation of the

transformers and written to memory". Lester, however, is not understood to describe how  $\theta_i$ - $\theta_v$  are determined prior to writing in memory.

In this regard, page 12 of Lester does describe interpolating between the *known values* (which we interpret to mean the known values of  $\theta_i$  and  $\theta_v$  in memory) to obtain other values of  $\theta_i$  and  $\theta_v$ <sup>2</sup> "in dependence on the magnitude of current and/or voltage being measured". However, Lester does not disclose or suggest electrically connecting inputs of the memory to its first and second signal inputs and, therefore, as explained above, Lester is not understood to include structure which would enable it to measure a phase difference that corresponds to a phase difference between a first input signal and a second input signal, as claimed.

For at least the foregoing reasons, claim 1 is believed to be patentable.

Dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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<sup>2</sup> Phase angle errors

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In view of the foregoing amendments and remarks, we respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

The undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

Please apply any fees or credits due in this case to Deposit Account 06-1050 referencing Attorney Docket No. 14603-025US1.

Respectfully submitted,

Date: August 7, 2008



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